

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

| | | |
|---------------------------|---|---------------------|
| THE CITY OF HUNTINGTON, |) | No. 3:17-01362 |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Hon. David A. Faber |
| |) | |
| AMERISOURCEBERGEN DRUG |) | |
| CORPORATION, et al., |) | |
| |) | |
| Defendants. |) | |
| |) | |
| <hr/> | | |
| |) | |
| CABELL COUNTY COMMISSION, |) | No. 3:17-01665 |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Hon. David A. Faber |
| |) | |
| AMERISOURCEBERGEN DRUG |) | |
| CORPORATION, et al., |) | |
| |) | |
| Defendants. |) | |
| |) | |
| |) | |

**PLAINTIFFS' NOTICE OF ORAL VIDEOTAPED EXPERT DEPOSITION
OF ADAM J. FEIN, PH.D.**

PLEASE TAKE NOTICE that, pursuant to the applicable Federal Rules of Civil Procedure and the Deposition Protocol governing this litigation, Plaintiffs, by and through the undersigned counsel, will take the oral videotaped deposition of Adam J. Fein, Ph.D., on September 22, 2020, beginning at 9:00 a.m. Eastern Daylight Time. Court reporting services and video recording services will be provided by Golkow Global Litigation Services via alternative video conferencing (VTC) services (Zoom). Parties who wish to access the deposition are asked to contact scheduling@golkow.com, which will provide access codes prior to the deposition.

This deposition shall be videotaped and recorded stenographically and will continue from day to day until completed before a person duly authorized to administer oaths who is not counsel of record or interested in the events of this case. Plaintiffs reserve the right to seek additional time pursuant to any failure by Defendants to timely provide any supporting materials or data related to the expert report of Dr. Fein.

The oral examination is to be taken for purposes of discovery, for use at trial, or for such other purposes as are permitted under the Federal Rules of Civil Procedure, the local rules of the United States District Court for the Southern District of West Virginia, and all Pretrial Orders and Case Management Orders entered by this Court. Court reporting services and video recording services will be provided by Golkow Global Litigation Services.

A request for records is attached as Exhibit A.

DATED: September 9, 2020

THE CITY OF HUNTINGTON

CABELL COUNTY COMMISSION

s/ Anne McGinniss Kearse
ANNE MCGINNISS KEARSE

s/ Paul T. Farrell, Jr.
PAUL T. FARRELL, JR.

Anne McGinness Kearse (WVSB 12547)
Joseph F. Rice
MOTLEY RICE LLC
28 Bridgeside Boulevard
Mount Pleasant, SC 29464
Telephone: 843/216-9000
843/216-9450 (fax)
akearse@motleyrice.com
jrice@motleyrice.com

Paul T. Farrell, Jr. (WVSB 7443)
FARRELL LAW
422 Ninth Street, Third Floor (25701)
P.O. Box 1180
Huntington, WV 25714-1180
Mobile: 304/654-8281
paul@farrell.law

s/ Anthony J. Majestro

ANTHONY J. MAJESTRO

Linda Singer
David I. Ackerman
MOTLEY RICE LLC
409 Ninth Street NW, Suite 1001
Washington, DC 20004
Telephone: 202/232-5504
202/386-9622 (fax)
lsinger@motleyrice.com
dackerman@motleyrice.com

Charles R. "Rusty" Webb (WVSB 4872)
THE WEBB LAW CENTRE, PLLC
716 Lee Street East
Charleston, WV 25301
Telephone: 304/344-9322
304/344-1157 (fax)
rusty@rustywebb.com

Anthony J. Majestro (WVSB 5165)
POWELL & MAJESTRO, PLLC
405 Capitol Street, Suite P-1200
Charleston, WV 25301
Telephone: 304/346-2889
304/346-2895 (fax)
amajestro@powellmajestro.com

Michael A. Woelfel (WVSB 4106)
WOELFEL AND WOELFEL, LLP
801 Eighth Street
Huntington, WV 25701
Telephone: 304/522-6249
304/522-9282 (fax)
mikewoelfel3@gmail.com

EXHIBIT A

Pursuant to the Rule 26(e) of Federal Rules of Civil Procedure, this will serve as a request for the Deponent to supplement his Rule 26(a)(2) report and produce the following documents prior to or at the deposition:

1. All documents or other materials you reviewed since the date of your report that you have not specifically identified in your report in preparation for your expected testimony.
2. A statement of the compensation to be paid for your study and testimony in this case.
3. A copy of the most current and accurate *curriculum vitae* (C.V.) as of the date of your deposition.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on September 9, 2020, a copy of the foregoing **PLAINTIFFS' NOTICE OF ORAL VIDEOTAPED EXPERT DEPOSITION OF ADAM J. FEIN, PH.D.**, has been filed electronically using the Court's CM/ECF system and will be served via the Court's CM/ECF filing system, which will send notification of such filing to the attorneys of record at their e-mail addresses on file with the Court.

s/ Anthony J. Majestro
ANTHONY J. MAJESTRO